

## Case No. 5:20-CV-00363-M


ORDER

To date, no objections have been filed.<sup>1</sup>

A magistrate judge's recommendation carries no presumptive weight. The court "may accept, reject, or modify, in whole or in part, the . . . recommendation[ ] . . . receive further evidence or recommit the matter to the magistrate judge with instructions." 28 U.S.C. § 636(b)(1); *accord Mathews v. Weber*, 423 U.S. 261, 271 (1976). The court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* § 636(b)(1). Absent a specific and timely objection, the court reviews only for "clear error" and need not give any explanation for adopting the recommendation. *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

Upon careful review of the M&R and the record presented, and finding no clear error, the court ADOPTS the recommendation of the magistrate judge as its own. For the reasons stated therein, Plaintiff's claims against Defendant are DISMISSED WITHOUT PREJUDICE. The Clerk of Court is directed to close this case.

SO ORDERED this 9<sup>th</sup> day of February, 2023.

  
RICHARD E. MYERS II  
CHIEF UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Judge Numbers issued the M&R on January 20, 2023. Objections were due to be filed on or before February 3, 2023. *See* DE 78. The M&R was submitted to this court for disposition on February 7, 2023.